

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

ERNEST JACK HILL, III

Plaintiff,

v.

HARLEY LAPPIN, et. al.,

Defendants.

Civil No. 3:10-CV-1743

(Judge Kosik)

ORDER

AND NOW, this 16 day of January 2013, IT IS HEREBY ORDERED THAT:

1. The October 12, 2012 Report and Recommendation (Doc. 172) of Magistrate Judge Martin C. Carlson is ADOPTED, as outlined in the attached Memorandum;
2. Defendants' Motion to Dismiss, or, in the Alternative, for Summary Judgment (Doc. 137) is GRANTED, in part and DENIED, in part; and
3. The above-captioned case is REMANDED to the Magistrate Judge for further proceedings consistent with this Memorandum and Order.



Edwin M. Kosik
United States District Judge